OVERVIEW OF FOOD COLOR ADDITIVES
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This paper provides a general overview of color additives and how they are regulated in the United States. Use of colors in organic food production and potential adverse effects from the consumption of some specific colorants also are discussed.

I. EXECUTIVE SUMMARY

Colors are defined as any dye, pigment, or other substance that can impart color to a food, drug, or cosmetic or to the human body. Colors are regulated in the United States by the U.S. Food and Drug Administration (FDA) and are categorized either as "certifiable" (those derived primarily from petroleum and known as coal-tar dyes) or "exempt from certification" (those obtained largely from mineral, plant, or animal sources). Currently, there are no GRAS ("generally recognized as safe") exemptions for color additives. Consequently, all color additives are subject to premarket approval requirements. To obtain approval from FDA for a new color additive, the manufacturer must submit a petition demonstrating the safety and suitability of the new color additive or new use. FDA is then responsible for evaluating the petition and determining whether the color additive is safe for human consumption. Additionally, the decision regarding batch certification is made during FDA's review of the petition. If required, a sample from each manufactured batch must be submitted to FDA for analysis and certification. With this regulatory process, color additives generally have a good safety record; however, some adverse reactions have been noted. Specifically, allergic effects to Yellow No. 5 and carmine and cochineal extract have been observed. Additionally, possible carcinogenic effects have led FDA to ban uses of FD&C Red No. 3 and FD&C Red No. 2.

II. CHARACTERIZATION

Color additives are defined as any dye, pigment, or other substance that can impart color to a food, drug, or cosmetic or to the human body. Color additives include those that are white, black, and gray (Barrows et al., 2003). They also may include any chemical that reacts with another substance and causes formation of a color. In the United States, FDA is responsible for regulating color additives. For regulation purposes, FDA categorizes colors as "certifiable" (those derived primarily from petroleum and known as coal-tar dyes) and "exempt from certification" (those obtained largely from mineral, plant, or animal sources).

Certifiable colors can be further categorized into straight colors, mixtures, and dyes and lakes. Straight colors are those color additives that have not been mixed or chemically reacted with any other substance. Mixtures are the resulting color additives that are formed by mixing one color additive with one or more color additives or non-colored diluents, without a chemical reaction. Dyes are defined as those that "…dissolve in water

and are manufactured as powders, granules, liquids or other special purpose forms. They can be used in beverages, dry mixes, baked goods, confections, dairy products, pet foods and a variety of other products" (FDA, 1993). Lakes are the water insoluble form of the dye. Lakes tend to be more stable than dyes and ideal for coloring products containing fats and oils or items lacking sufficient moisture to dissolve dyes. Some examples where lakes are used include coated tablets, cake and donut mixes, hard candies, and chewing gums. Additionally, certifiable colors that are added to food are chemically classified as azo, xanthene, triphenylmethane, and indigoid dyes.

III. REGULATION

A. History

Color additives were initially regulated in the United States under the U.S. Department of Agriculture's (USDA) Bureau of Chemistry. In 1906, the Food and Drugs Act was passed by Congress, which prohibited the use of poisonous or deleterious colors in confectionery and the coloring or staining of food to conceal damage or inferiority. In 1927, responsibility of the Food and Drugs Act was transferred to FDA. Increasing government oversight, the Federal Food, Drug, and Cosmetic Act (FFDCA) was passed in 1938 and established the three following categories for colors:

- **FD&C:** colors used in foods, drugs and cosmetics;
- **D&C:** colors used in drugs and cosmetics when in contact with mucous membranes or ingested; and
- **Ext. D&C:** colors used in products applied externally.

The FFDCA mandated a listing of those coal-tar colors that were determined to be "harmless and suitable" for use in foods, drugs, and cosmetics. FDA interpreted "harmless" to mean harmless at any level (Francis, 2000). Additionally, the FFDCA required the listing of new colors, mandated the previously voluntary certification program for batches of listed color with associated fees, and contained adulteration and misbranding provision for the use of coal-tar colors in food, drugs, and cosmetics (Barrows et al., 2003).

The Color Additive Amendments to the FFDCA were established in 1960 because FDA's interpretation of "harmless" was not workable. Under the Color Additive Amendments, "color additives" were defined and a requirement was established that only color additives (except coal-tar hair dyes) listed as "suitable and safe" for a given use could be used in foods, drugs, cosmetics, and medical devices. A current listing of FDA approved colorants, including those that do and do not require certification, is provided in Table 1 (Barrows et al., 2003). As illustrated in Table 1, all of these colorants are straight colors.

Table 1. FDA Approved Food Color Additives

21 CFR Section	Straight Color	Use and Restrictions
Color Additives Subject To Certification		
74.101	FD&C Blue No. 1	Foods generally
74.102	FD&C Blue No. 2	Foods generally
74.203	FD&C Green No. 3	Foods generally
74.250	Orange B	Casings or surfaces of frankfurters and sausages, NTE 150 ppm
74.302	Citrus Red No. 2	Skins of oranges not intended or used for processing, NTE 2.0 ppm (by weight)
74.303	FD&C Red No. 3	Foods generally
74.340	FD&C Red No. 40	Foods generally
74.705	FD&C Yellow No. 5	Foods generally
74.706	FD&C Yellow No. 6	Foods generally
Color Additives Exempt From Certification		
73.30	Annatto extract	Foods generally
73.35	Astaxanthin	Salmonid fish feed
73.40	Dehydrated beets (beet powder)	Foods generally
73.50	Ultramarine blue	Salt for animal feed
73.75	Canthaxanthin	Foods generally, NTE 30 mg/lb of solid or semisolid food or per pint of liquid food; broiler chicken feed; salmonid fish feed
73.85	Caramel	Foods generally
73.90	ß-Apo-8'-carotenal	Foods generally, NTE 15 mg/lb solid, 15 mg/pt liquid
73.95	ß-Carotene	Foods generally
73.100	Conchineal extract; carmine	Foods generally
73.125	Sodium copper chlorophyllin	Citrus-based dry beverage mixes, NET 0.2% dry mix
73.140	Toasted partially defatted cook cottonseed flour	Foods generally
73.160	Ferrous gluconate	Ripe olives
73.165	Ferrous lactate	Ripe olives
73.169	Grape color extract	Nonbeverage food
73.170	Grape skin extract (enocianina)	Still and carbonated drinks and ades; beverage bases; alcoholic beverages
73.185	Haematococcus algae meal	Salmonid fish feed
73.200	Synthetic iron oxide	Sausage casings, NTE 0.1%

21 CFR Section	Straight Color	Use and Restrictions
		(by weight); dog and cat food, NTE 0.25% (by weight)
73.250	Fruit juice	Foods generally
73.260	Vegetable juice	Foods generally
73.275	Dried algae meal	Chicken feed
73.295	Tagetes (Aztec marigold mean and extract)	Chicken feed
73.300	Carrot oil	Foods generally
73.315	Corn endosperm oil	Chicken feed
73.340	Paprika	Foods generally
73.345	Paprika oleoresin	Foods generally
73.355	Phaffia yeast	Salmonid fish feed
73.450	Riboflavin	Foods generally
73.500	Saffron	Foods generally
73.575	Titanium dioxide	Foods generally, NTE 1% (by weight)
73.600	Turmeric	Foods generally
73.615	Turmeric oleoresin	Foods generally

The Color Additive Amendments also established the "Delaney Clause" that prohibited the listing of a color additive shown to be carcinogenic.

B. Petition Process

Under the current regulatory system, FDA is responsible for ensuring the safety of new food additives, including colors. However, food additive petitions are not required for food additives that are identified as "generally recognized as safe" (GRAS) substances. Currently, there are no GRAS ("generally recognized as safe") exemptions for color additives. Consequently, all color additives are subject to premarket approval requirements. These requirements are listed in Title 21 of the Code of Federal Regulations (CFR), Part 71. In filing a color additive petition, the manufacturer is responsible for providing FDA with information including, but not limited to the following:

- Identification of the food additive;
- Physical, chemical, and biological properties;
- Chemical specifications;
- Manufacturing process description;
- Stability data;
- Intended uses and restrictions;
- Labeling[1];

[1] Any labeling that will be required by applicable provisions of the FFDCA on the finished food by reason of the use of the food additive.

- Tolerances and limitations[2];
- Analytical methods for enforcing chemical specifications;
- Safety studies; and
- Estimate of probable exposure.

C. Safety Assessment

A color additive petition must demonstrate the safety and suitability of the new color additive or new use. FDA is responsible for evaluating petitions and determining whether the additive is safe for human consumption. Generally, this determination is made by examining the following parameters:

- History of use or natural occurrence;
- Consumption ratio, if applicable;
- Exposure levels;
- Inherent toxicity of the substance;
- Toxicological data on the substance or on structurally-related compounds; and
- Metabolism of the substance (either know of forecasted on the basis of data for structurally-related compounds).

FDA's safety assessment includes a review toxicity data such as the results of controlled animal studies. Ideally, a complete range of data, including short- and long-term toxicity studies, as well as studies that examine possible reproductive, carcinogenic, mutagenic, and sensitization characteristics of the color additive would be available for review. Sometimes a complete set of toxicology data is not available. One method of gaining additional insight on a color lacking a complete set of data is to evaluate the toxicity of structurally related substances. By evaluating structurally related substances, scientists can try to determine how the compound is absorbed, distributed, and metabolized within the body, and how it may act on target organs in the body. Based on these data and various safety factors, FDA determines a safe exposure level for the color additive.

FDA then compares the safe exposure level to the amount likely to be consumed in food taking into consideration the composition and properties of the substance and the proposed conditions of use. Because the absolute safety of any substance can never be proven, FDA must determine if the additive is safe under the proposed conditions of use, based on the best scientific knowledge available. For more information, see http://vm.cfsan.fda.gov/~dms/opa-cg8e.html.

[2] According to 21 CFR Part 571, "If the food additive is one for which a tolerance limitation is required to assure its safety, the level of use proposed should be no higher than the amount reasonably required to accomplish the intended physical or other technical effect, even though the safety data may support a higher tolerance."

D. Batch Certification

As described in Section II, FDA requires certification of every manufactured batch of some color additives. Color additives requiring and exempt from batch certification are listed in Table 1.

Batch certification is required when the composition of the color needs to be controlled in order to protect public health. Procedures for color additive batch certification are available in 21 CFR Part 80. Under these procedures, a sample from each manufactured batch of certifiable color additive, as well as a "Request for Certification," must be submitted to FDA's Color Certification Branch. The "Request for Certification" should provide information regarding the batch weight, storage conditions, and the use for which it is being certified. FDA is then responsible for evaluating the batch's physical appearance and performing chemical analyses including, but not limited to the following:

- Purity (total color content);
- Moisture;
- Residual salts;
- Unreacted intermediates;
- Colored impurities other than the main color;
- Any other specified impurities; and
- Heavy metals (lead, arsenic, and mercury).

If the sample meets FDA's requirements, FDA will issue a certificate for the batch that identifies the color additive, batch weight, uses for which the color additive is certified, the name and address of the owner, as well as other information. The batch also is assigned a unique lot number.

Colors that are exempt from certification are usually derived from plant or mineral sources and must comply with the identity and purity specification and use limitation described in their listing regulations. According to 21 CFR 71.1(c)G, "If exemption from batch certification is requested, the reasons why it is believed such certification is not necessary (including supporting data to establish the safety of the intended use)." Consequently, a petition for exemption from certification must show why such certification is not necessary for the protection of public health (21 CFR 71.18). Color additives that are exempt from batch certification for one use may be subject to batch certification for other uses. Because natural colorants are exempt from a lengthy certification process, there has been a strong trend over the past 50 years toward the use of these color additives as compared to synthetic coal-tar dyes (Francis, 2000).

IV. ADVERSE EFFECTS

Although food colors generally have a good safety record, some adverse reactions have been noted. For example, Yellow No. 5 (listed as tartrazine on medicine labels; a color found widely in beverages, desserts, processed vegetables, drugs, makeup, and many other products) causes itching or hives in a small population sub-group (FDA, 2001).

Another color that causes allergic reactions is carmine and cochineal extract. Carmine and cochineal extract are scarlet red pigments that come from the female coccid insect *Dactylopius coccus* var. Costa (family Dactylopiidae, superfamily Coccoidea), which is parasitic on several species of cacti, particularly the cochineal figs produced by prickly pear (Opuntia) cactus *Nopalea cochenillifera*. There have been several case reports of anaphylaxis and urticaria resulting from ingestion of food or drink containing carmine (Beaudouin et al., 1995; Baldwin et al., 1997; DiCello et al., 199a,b; Chung et al., 2001).

In 1960, FDA banned uses of FD&C Red No. 3 including cosmetics and externally applied drugs because large amounts of the color caused thyroid tumors in male rats (FDA, 2001). In 1976, FDA issued a ban on FD&C Red No. 2 because there appeared to be a statistically significant increase in malignant tumors when fed high doses of the color (FDA, 2001).

V. USE OF COLORS IN ORGANIC FOODS

Colors are currently on the National List of Allowed and Prohibited Substances for use in organic foods. Colors were not added to the National List as the result of a petition. Instead, they were included among substances initially placed on the National List when USDA promulgated regulations pursuant to the Organic Food Production Act of 1990. According to 21 CFR Part 205.605, nonagricultural (nonorganic) colors are allowed as ingredients in or on processed food products labeled as “organic” or “made with organic.” Only nonsynthetic colors (as a group) are allowed.

References:

Baldwin J.L., Chou A.H., and Solomon W.R. 1997. Popsicle-induced anaphylaxis due to carmine dye allergy. Annals of Allergy, Asthma & Immunology 79:415-419.

Barrows J.N., Lipman A.L., Bailey C.J. 2003. Color Additives: FDA's Regulatory Process and Historical Perspectives. Available at: http://www.cfsan.fda.gov/~dms/col-regu.html.

Beaudouin E., Kanny G., Lambert H., Fremont S., Moneret-Vautrin D.-A. 1995. Food anaphylaxis following ingestion of carmine. Annals of Allergy, Asthma, & Immunology 74: 427-430.

Chung K., Baker J.R., Baldwin J.L., and Chou A. 2001. Identification of carmine allergens among three carmine allergy patients. Allergy 56(1):73-77.

DiCello M.C., Baldwin J.L., Myc A., and Baker J.R. 1999a. Anaphylaxis after ingestion of yogurt colored with carmine. Annals of Allergy, Asthma, & Immunology 82:73 (Abstract).

DiCello M.C., Myc A., Baker J.R., and Baldwin J.L. 1999b. Anaphylaxis after ingestion of carmine colored foods: two case reports and a review of the literature. Allergy and Asthma Proceedings 20:377-382.

FDA. 2001. Food Additives Fact Sheet. Available at: http://www.cfsan.fda.gov/~dms/cos-221.html.

FDA. 1993. Food, Nutrition, and Cosmetics Questions & Answers. Available at: http://www.cfsan.fda.gov/~dms/qa-topad.html.

Francis F.J. (2000) Safety assessment of flavor ingredients. In: Watson D.H. (ed.). Food Chemical Safety. Volume 2. Woodhead Publishing Limited: Cambridge, England. Pp. 173-206.